Senate Study Bill 1213 - Introduced

SEN	ATE FILE
ВУ	(PROPOSED COMMITTEE
	ON EDUCATION BILL BY
	CHAIRPERSON SINCLAIR)

A BILL FOR

- 1 An Act relating to violations of the educational laws of
- 2 Iowa by providing for grounds for professional misconduct
- 3 and removal from office, and including effective date and
- 4 retroactive applicability provisions.
- 5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. Section 66.1A, Code 2021, is amended by adding
- 2 the following new subsection:
- NEW SUBSECTION. 8. For members of the board of directors of
- 4 a school corporation, for knowingly and intentionally violating
- 5 a provision of Title VII, subtitle 1, 2, 5, or 6, or other
- 6 provision of Iowa law governing the operation of the school
- 7 corporation.
- 8 Sec. 2. Section 272.2, subsection 14, paragraph b, Code
- 9 2021, is amended by adding the following new subparagraph:
- 10 NEW SUBPARAGRAPH. (6) For school years beginning
- 11 on or after July 1, 2021, for a complaint filed with the
- 12 board of educational examiners against a practitioner who
- 13 is a superintendent, if the superintendent knowingly and
- 14 intentionally violates a provision of Title VII, subtitle 1, 2,
- 15 5, or 6, or other provision of Iowa law governing the operation
- 16 of the school corporation.
- 17 Sec. 3. VIOLATIONS OF INSTRUCTIONAL REQUIREMENTS BOARD
- 18 OF EDUCATIONAL EXAMINERS. For the school year beginning
- 19 July 1, 2020, and ending June 30, 2021, if a school district
- 20 provides instruction in violation of 2021 Iowa Acts, Senate
- 21 File 160, without an approved waiver from the governor,
- 22 or provides instruction primarily through remote-learning
- 23 opportunities without an approved waiver from the department
- 24 of education for such method of instruction in accordance with
- 25 the requirements of 2020 Iowa Acts, chapter 1107; section
- 26 279.10; the governor's proclamation of a public health disaster
- 27 emergency issued July 17, 2020; and subsequent applicable
- 28 proclamations of a public health disaster emergency issued
- 29 by the governor pursuant to section 29C.6 and related to
- 30 COVID-19, such a violation shall constitute grounds for the
- 31 board of educational examiners to suspend or revoke the license
- 32 of a practitioner who is a superintendent for purposes of a
- 33 complaint filed under chapter 272.
- 34 Sec. 4. EFFECTIVE DATE. This Act, being deemed of immediate
- 35 importance, takes effect upon enactment.

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- 1 Sec. 5. RETROACTIVE APPLICABILITY. The section of this Act
- 2 relating to the school year beginning July 1, 2020, and ending
- 3 June 30, 2021, applies retroactively to July 1, 2020.
- 4 EXPLANATION
- 5 The inclusion of this explanation does not constitute agreement with
- 6 the explanation's substance by the members of the general assembly.
- 7 This bill relates to violations of the educational laws of
- 8 Iowa by providing for grounds for professional misconduct for
- 9 school district superintendents and removal from office for
- 10 school board members.
- 11 Code chapter 66 provides that any appointive or elective
- 12 officer, except such as may be removed only by impeachment,
- 13 holding any public office in the state or in any division or
- 14 municipality thereof, may, upon the filing of a qualifying
- 15 petition, be removed from office by the district court for
- 16 any of a list of specified reasons. The bill establishes a
- 17 ground for removal for members of the board of directors of a
- 18 school corporation, of knowingly and intentionally violating a
- 19 provision of Code Title VII, subtitle 1, 2, 5, or 6, or other
- 20 provision of Iowa law governing the operation of the school
- 21 corporation.
- The bill provides that for the school year beginning July 1,
- 23 2020, and ending June 30, 2021, if a school district provides
- 24 instruction in violation of 2021 Iowa Acts, Senate File 160,
- 25 without an approved waiver from the governor, or provides
- 26 instruction primarily through remote-learning opportunities
- 27 without an approved waiver from the department of education for
- 28 such method of instruction in accordance with the requirements
- 29 of 2020 Iowa Acts, chapter 1107; Code section 279.10; and
- 30 specified public health disaster emergency proclamations issued
- 31 by the governor related to COVID-19, such violations shall
- 32 constitute misconduct for purposes of a complaint filed with
- 33 the board of educational examiners under Code chapter 272
- 34 against a superintendent.
- 35 Code chapter 272 authorizes the board of educational

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- 1 examiners to adopt rules governing the licensure of
- 2 practitioners, including school administrators, teachers, and
- 3 other licensed professionals. The board's rules must include
- 4 rules requiring the board to disqualify an applicant for a
- 5 license or to revoke the license of a person for a list of
- 6 specified reasons. The bill adds to the list of specified
- 7 reasons, for a complaint filed against a practitioner who
- 8 is a superintendent, if the superintendent knowingly and
- 9 intentionally violates a provision of Code Title VII, subtitle
- 10 1, 2, 5, or 6, or other provision of Iowa law governing the
- 11 operation of the school corporation.
- 12 The bill takes effect upon enactment and applies certain
- 13 provisions retroactively to July 1, 2020.